

CLERK'S OFFICE U.S. DISTRICT COURT
AT ABINGDON, VA
FILED

AO 91 (Rev. 11/11) Criminal Complaint

MAR 3 2021

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

JULIA C. DUDLEY, CLERK

BY: *E. Gurlson*

DEPUTY CLERK

United States of America

v.

Jaap Willem Lijbers

Case No. *1:21 MJ 39*Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2, 2021 in the county of Tazewell in the
Western District of Virginia, the defendant(s) violated:*Code Section*

18 U.S.C. §922(g)(5)

*Offense Description*Illegal possession of a firearm or ammunition while being unlawfully present
in the United States

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.Sworn to before me and *telephonically.* signed in my presence.Date: 3/2/21City and state: Abingdon, Virginia*[Signature]*
Complainant's signature

Aaron Kellerman, Special Agent- FBI

Printed name and title

[Signature]
Judge's signature

Pamela M. Sargent, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

UNITED STATES OF AMERICA

v.

JAAP WILLEM LIJBERS aka
"MARVIN DORNER"

Case No. _____

Filed Under Seal

AFFIDAVIT IN SUPPORT OF PROBABLE CAUSE

I, Aaron Kellerman, a Special Agent (SA) with the Federal Bureau of Investigation, being duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I make this affidavit in support of probable cause for a complaint and arrest under Rules 3, 4, and 4.1 of the Federal Rules of Criminal Procedure.

2. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), currently assigned to the Richmond Field Office, Roanoke Resident Agency ("RA"). I have been a Special Agent with the FBI for approximately seventeen years and have worked a variety of investigative matters to include counterterrorism. In my current assignment, I conduct counterterrorism investigations in the Roanoke Resident Agency's area of responsibility, which is within the Western District of Virginia. I have participated in all aspects of counterterrorism investigations,

including but not limited to conducting surveillance, analysis of subpoenaed telephone and email records, subject interviews and witness interviews, operating confidential human sources and undercover employees, and executing federal search warrants.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and reports and other documents in this investigation. The facts underlying the basis for this affidavit are true and correct to the best of my knowledge. I have not included all the facts collected during the course of this investigation. This affidavit is intended to show merely that there is sufficient probable cause to believe that Jaap Willem Lijbers ("Lijbers") violated Title 18, United States Code, Section 922(g)(5)(A), by being an alien unlawfully present in the United States in possession of a firearm.

BACKGROUND

4. "Boogaloo" is a term referencing a violent uprising or impending civil war. The term is sometimes used by militia extremists and racially or ethnically motivated violent extremists, who allude to it using shorthand such as "big igloo" or "big luau" and imagery such as igloos or Hawaiian Shirts. The term has particularly resonated with militia extremists, who have adopted it to reference an impending politically-motivated civil war or uprising against the government following perceived incursions on Constitutional rights or other perceived government overreach. The Boogaloo is not a single cohesive group, but rather a loose concept arising from internet platforms that has become a rallying point for some extremists.

FACTS SUPPORTING PROBABLE CAUSE

5. In May 2020, the FBI initiated an investigation into members of the “Boogaloo Bois” based on information that members were discussing committing crimes of violence and were maintaining an armed presence on the streets of Minneapolis during civil unrest following the death of George Floyd. Your affiant knows the Boogaloo Bois as a loosely-connected group of individuals espousing violent anti-government sentiments.

6. A Facebook account under the name “Marvin Dorner” (hereinafter “Dorner”), Facebook user ID 100007060786131, was identified in July 2020 based on contact with other self-proclaimed Boogaloo Bois, Ivan Hunter (Hunter) and Benjamin Teeter (Teeter). In these Facebook messages, the content of which were obtained by the FBI through other search warrants, Dorner appeared to be coordinating with Hunter and Teeter to travel to Minneapolis during the civil unrest. Specifically, late in the evening of May 26, 2020, Hunter initiated a private message between the three individuals:

Hunter: Link up for a caravan.

Dorner: I’m personally pissed off about all this.

Teeter: I’m leaving NC as soon as my guys are assembled. We’re linking up now.

Dorner: I’m in southwest Virginia. Where in nc you at? The cops are running out of manpower. And vehicles.

Teeter: I’ll be going to Winston Salem to arm up and then heading North.

Dorner: I’m in tazewel county va. If that’s anywhere near your route I’ll be geared up by tomorrow around 4 or 5pm if it’s not too late by then.

Teeter: That’s probably spot on. I’ll keep you updated.

Dorner: I'll be back up at 5am. Have to get shit ready because it's looking pretty serious as of now.

At approximately 7:16 a.m. Teeter messaged "We just hit VA. How are y'all looking." Based on Dorner's previous statement about not being ready until the afternoon, it appears that Dorner was not able to link up with Teeter. Teeter later messaged "Y'all coming?" Hunter responded "Yes" but Dorner replied, "Stuck at work still."

7. It is unknown if further conversations occurred between group members through other means. Dorner sent encouraging messages to Hunter on May 28, 2020, including, "Hoodie OVER plate carriers. Do NOT stand out. Appear civilian. Bring marshmallows for the bonfire and seasoning for the pig roast." Dorner sent another message to Hunter on May 30, 2020 stating "88th precinct is overrun in NYC.m apparently. 30 minutes ago. Yall get the gov buildings. All of them." On June 1, 2020, as the civil unrest continued in Minnesota, Dorner indicated he was still looking to travel, stating "I'm trying to find a ride. All my 'boogbois' are chickening out, so it's just me which I always figured anyways."

8. On September 3, 2020, Teeter was arrested and charged in the District of Minnesota for his actions in Minneapolis during May and June of 2020. Teeter pled guilty on December 16, 2020 to one count of conspiracy to provide material support to a Foreign Terrorist Organization (Hamas) in violation of 18 U.S.C. § 2339B, in order to raise money for the Boogaloo Bois movement.

9. On October 21, 2020, Hunter was arrested and charged in the District of Minnesota with violating the Anti-Riot Act, 18 U.S.C. § 2101, for traveling in interstate commerce to participate, carry on, and commit acts of violence in furtherance of a riot in Minneapolis. As part

of these charges, video footage obtained by the FBI showed Hunter discharging 13 rounds from an AK-47 style rifle into the Minneapolis Third Precinct on the night of May 28, 2020.

10. A review of public source information and Virginia Drivers License information conducted in September 2020 was unable to locate anyone with the name Marvin Dorner affiliated with Tazewell, Virginia.

11. Following Dorner's inability to travel to Minneapolis, he pivoted to attending a local protest in Richlands, Virginia on June 7, 2020. On June 8, 2020, Dorner messaged Hunter and indicated that he had been at a protest in Tazewell, Virginia, and that he was the only one armed. Dorner indicated that he discussed his rifle with one of the police present and that he basically ran security for the event. Dorner also sent the below image directly to Hunter and followed up with a message that stated, "I showed every cop that sign."



12. Dornier also sent Hunter a screenshot of a twitter user who posted the following picture of the event, showing Dornier armed with a rifle, depicted below.



13. On June 12, 2020, Dorner messaged Hunter and told him he was sending him his real name using ProtonMail in case something happened to him. (ProtonMail is an end to end encrypted email service based in Switzerland). Dorner stated: "You're the only one in this country with that info, besides my daughter's mom." This message indicated that "Marvin Dorner" was not his real name and that he was affiliated with individuals outside of the United States.

14. On June 14, 2020, Dorner messaged Hunter a series of messages indicating he was in possession of an AR-style rifle. Dorner messaged, "Common ar issue here ... I've replaced charging handle, gas rings, fwd assist. Had it cleaned. New mag. Fresh rounds. Works little better

now. Used to jam every shot, now after 3-5 rounds.” Hunter responded: “Take it to a smith first tho” to which Dorner replied: “They don’t ask for papers or ID do they?” This last message indicated that the individual by the name Dorner was reluctant to display any identification to a gunsmith.

15. On May 29, 2020, Steven Carrillo (Carillo), a self-identified Boogaloo member, shot two federal security officers in Oakland, California during the George Floyd Protests, one of whom died. Carrillo was subsequently arrested and charged with the shooting, and he was also charged with murdering a Santa Cruz County deputy, wounding another, and throwing pipe bombs at police on June 6, 2020. Before he was arrested, Carrillo wrote “BOOG” in blood on the hood of a car. Carrillo was an administrator for the Boogaloo-themed Happy Friends Group (HFG) Facebook group page that was removed by Facebook during this time period. Hunter was also a founder and administrator for the HFG page, and Teeter and Dorner were members of the group.

16. In late June 2020, Dorner’s Facebook account was either deactivated by Dorner or shut down by Facebook, at a time when Facebook was removing Boogaloo-themed pages following their affiliation with violent domestic extremism after the arrest of Steven Carrillo.

17. On August 16, 2020, an individual believed to be Dorner based on Agent identification due to similarity with the pictures from the June 7, 2020 rally (above), was involved in at a rally in Richlands, Virginia. Dorner, wearing a facemask, was interviewed by WVVA news at www.wvva.com/2020/08/16/anti-kkk-group-boogaloo-bois-protest-at-richland-town-hall. The video shows Dorner in possession of a rifle. Dorner discussed that there were KKK and Proud Boys in the area and that the police were backing them up. Dorner is shown at the event below:



18. A search warrant issued in the Western District of Texas on Discord, a group-chatting Application, related to the Hunter investigation in November 2020 identified that Discord user "apdcyph3r#2008" identified himself as "Marvin Dorner" and identified that he had a new Facebook page under the name "Jaxson Lynch." A prior subpoena to Facebook for the Marvin Dorner account also returned a user registration name of Jaxson Lynch. Similar to Marvin Dorner, public sources were unable to identify an individual in Tazewell, Virginia named Jaxson Lynch.

19. After Hunter was arrested by the FBI, a search of his phone revealed a contact as “jax” with a Southwest Virginia area code at 276-409-0580. A search of Teeter’s phone after his arrest also located a contact identified as “Jax aka Squiggs” at 276-409-0580. Additionally, Teeter’s phone revealed a chat in the Signal app for the Happy Friends Group (HFG), mirroring the Facebook HFG group mentioned above.

20. The HFG Signal chat on Teeter’s phone revealed discussions of making suppressors and weapons, sending armed groups to Kenosha, Wisconsin¹ including shooting/killing law enforcement to rescue other Boogaloo members, creating mutual defense pacts with other militia groups, taking advantage of post-election chaos, support of Carrillo’s actions privately while publicly not condoning the actions because it would be poor for public relations, creating hideaway Boogaloo compounds when Boogaloo members are in trouble, and declaring war on the US Government including a draft of a declaration of independence. Signal username Jax, 276-409-0580 (hereinafter Dorner’s phone), was a member of the HFG Signal group where these discussions took place. In the Signal chat, Jax indicated on August 16, 2020 that he was at a rally in Virginia, further identifying himself “Dorner” based on Dorner’s attendance noted above.

21. Based on 2703(d) Court Order results from Facebook for the Marvin Dorner account received January 11, 2021, an individual in a Facebook group chat with Dorner in 2018

¹ Kenosha was the site of several days of civil unrest following the police shooting of Jacob Blake on August 23, 2020, including riots, property destruction, and confrontations between protestors and armed militia members.

was identified (the substance of which was personal in nature and had nothing to do with Boogaloo bois) as a local law enforcement officer. The FBI contacted that law enforcement officer, and the law enforcement officer identified the individual using the Facebook persona "Marvin Dorner" as having the first name "Jaap", but last name unknown. The law enforcement officer provided that "Jaap" was from the Netherlands and had fathered a child with a woman, B.K. The law enforcement officer further definitively identified Jaap as the individual with the pink rifle involved in the August 16, 2020 rally as shown in the photo in paragraph 18.

22. A review of public source information identified a prior PO Box shared between B.K. and an individual named Jaap Willem Lijbers, date of birth March 22, 1994.

23. A further review of 2703(d) records for Marvin Dorner showed Facebook communication between Dorner and accounts belonging to Anita en Willem Lijbers, Roshy Jaguey-Lijbers, Laura Lijbers, and Alex Lijbers. Further, Dorner stated in a Facebook message on April 17, 2020 "Idek what I am I'm from 94," which Affiant took to mean Dorner was born in 1994 and was trying to identify the generation to which he belonged.

24. A review of immigration records by Homeland Security Investigation (HSI) conducted on February 8, 2021 indicated that Lijbers was in the United States illegally, having overstayed a Visa Waiver authorization from the Department of State and I-94 Entry authorization issued by the Department of Homeland Security on May 20, 2014. Lijbers was authorized to remain in the United States until August 17, 2014 and has overstayed and remained in the United States beyond the period allowed by his I-94 authorization. As of February 8, 2021, Lijbers has never applied for an adjustment to his initial status and no immigration records or applications are identified which would provide Lijbers extended authorization to remain in the United States or

preclude his deportation. Additionally, a review of Virginia hunting records on February 2, 2020 revealed no hunting licenses for Lijbers.

25. On March 2, 2021, a search warrant issued in the Western District of Virginia was served by the FBI at 219 Kirby Road, Raven, Virginia. During the service of the search warrant an individual who identified himself as Jaap Willem Lijbers, date of birth March 22, 1994 was detained by HSI regarding immigration violations. Lijbers was orally advised of his rights and stated that he understood his rights and did not need a translator to explain them. Lijbers advised that he was willing to talk about some topics, but not others. During the course of the interview Lijbers stated that he was from the Netherlands and that he came to the United States to meet a girl he met online. Upon arrival, he was advised by Customs and Border Protection he had to leave the country within 90 days, however he has been in the United States since his arrival and never filed to adjust his status. Lijbers admitted to living at 219 Kirby Road, Raven, Virginia.

26. Lijbers was also shown the photographs used above in paragraphs 11 and 17 and stated that he was the individual pictured and that he was in possession of a rifle at those events.


27. During the search conducted at 219 Kirby Rd., Raven, Virginia, a black AR style rifle bearing serial number 20009676, Radical Firearms LLC, Model RF-15 was recovered along with five magazines, including one loaded with .223 rifle ammunition.

28. During an interview conducted on March 2, 2021, B.K. stated that Jaap Lijbers was the sole resident of 219 Kirby Road, Raven, Virginia and she believed that he owned firearms.

CONCLUSION

29. Based on the foregoing and as described above, your affiant asserts that there is probable cause to believe that Jaap Willem Lijbers was an alien unlawfully present in the United States in possession of a firearm in violation of Title 18, United States Code, Section 922(g)(5)(A).

Respectfully submitted,



Aaron Kellerman
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me *telephonically*
on: *3/2/21*


UNITED STATES MAGISTRATE JUDGE